THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6998 of 2007

Dated: 09-04-2007

Between:

Panuganti Subbaiah.

..... PETITIONER

AND

The District Collector, Kadapa, and others.

....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6998 of 2007

ORDER:

The petitioner was allegedly assigned land admeasuring Acs.4.94 in survey No.59 situated at G. Narasimhapuram Village, B. Matam Mandal, Kadapa District, vide D.K.T.No.52/84 dated 26.07.1984. The petitioner allegedly brought the land into cultivation and is in possession of the land. Subsequently there was resurvey of the Village and new survey numbers were allotted to various lands. It is alleged that respondents 1 to 3
sub-divided total extent of Acs.222.00 in survey No.1 for the purpose of assignment and granted pattas duly mentioning new survey numbers. The land in survey No.59, in which the petitioner was granted patta land, was changed as survey No.63/2. After conducting enquiry, third respondent by proceedings dated 02.07.2002 granted fresh patta to the petitioner vide D.K.T.No.151/1414 dated 20.07.2004. The petitioner alleges that fourth respondent came to the land, vandalised and tried to dispossess him (petitioner) alleging that the same land was again reassigned to him (fourth respondent). Therefore, the petitioner made representations on 08.01.2007 and 05.03.2007 to the official respondents requesting to rectify the mistake with regard to the assignment of the petitioner's land to fourth respondent, in vain. Therefore, he filed instant writ petition seeking a writ of Mandamus directing the official respondents to take necessary action on the representation dated 05.03.2007.

As rightly pointed out by the learned Assistant Government Pleader for Revenue, as the petitioner made representation only on 05.03.2007 and rushed to this Court for the relief, as per the ratio laid down by this Court in **Mir Fazle Ali Nasiri v. State of A.P. and others**[1], such writ petitions cannot be entertained. The petitioner's counsel, however, relied on the representation allegedly made by the petitioner to the Revenue Divisional Officer on 30.07.2004. In the absence of a copy thereof, reliance cannot be made on the same and the petitioner got only similar redressal. Be that as it is, now that the petitioner has approached first respondent duly annexing the copies of the representations, they may be looked into and necessary orders be passed. Except making such observations, no direction can be issued in this writ petition.

The writ petition, with the above observations, is accordingly disposed of. No costs.

(**V.V.S.RAO, J**)

09th April, 2007
ghn

[1] 2007(2) ALD 3